

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BYRON KEITH CHANT,

Plaintiff,

V.

CLARK COUNTY JAIL, SERGEANT J.  
HUFF, COMMANDER RICHARD J.  
BISHOP, CHIEF JAIL  
ADMINISTRATOR BATTIES,  
CUSTODY OFFICERS M. ADDY, AND  
E. BJORMAN.

## Defendants.

CASE NO. C12-5870 BHS-KLS

## ORDER

This matter has been referred to United States Magistrate Judge Karen L. Strombom  
pant to 28 U.S.C. § 636(b)(1), Local Rules MJR 3 and 4, and Rule 72 of the Federal Rules of  
Procedure. The case is before the Court on defendants' motion for summary judgment.  
17). After reviewing the motion, the Court finds that defendants have failed to provide  
ff with summary judgment warnings contemporaneously with the filing of their motion.

On November 16, 2012, when the Court ordered service of this action the Court stated that failure to file and serve the notice may result in striking a motion with leave to refile (Dkt. 8 pp. 4-5). Accordingly, defendants' motion for summary judgment, (Dkt. 17), hereby is **stricken**.

1 **from the record with leave to re-file.** The Court extends the dispositive motion deadline until  
2 February 28, 2014 and the Court extends the joint status report date June, 20, 2014.

3 The Clerk is directed to send a copy of this Order to Plaintiff.

4 Dated this 22 day of January, 2014.

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7 Karen L. Strombom  
8 United States Magistrate Judge  
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